

**Joann Leleck Elementary School, Oakview Community
Sidewalk Proposal**

Public Hearing Record

Wednesday, March 8, 2023, at 7:00 PM

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Exhibit 1

Office of Management & Budget
Pedestrian Safety Program P5000333

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Pedestrian Safety Program

(P500333)

Category	Transportation	Date Last Modified	04/16/22
SubCategory	Traffic Improvements	Administering Agency	Transportation
Planning Area	Countywide	Status	Ongoing

EXPENDITURE SCHEDULE (\$000s)

Cost Elements	Total	Thru FY21	Est FY22	Total 6 Years	FY 23	FY 24	FY 25	FY 26	FY 27	FY 28	Beyond 6 Years
Planning, Design and Supervision	13,878	9,453	125	4,300	650	650	550	1,150	650	650	-
Site Improvements and Utilities	10,362	8,762	-	1,600	200	250	200	450	250	250	-
Construction	25,799	2,359	3,820	19,620	3,570	2,900	2,550	5,200	2,700	2,700	-
Other	2,843	2,843	-	-	-	-	-	-	-	-	-
TOTAL EXPENDITURES	52,882	23,417	3,945	25,520	4,420	3,800	3,300	6,800	3,600	3,600	-

FUNDING SCHEDULE (\$000s)

Funding Source	Total	Thru FY21	Est FY22	Total 6 Years	FY 23	FY 24	FY 25	FY 26	FY 27	FY 28	Beyond 6 Years
Current Revenue: General	13,166	7,921	145	5,100	850	850	850	850	850	850	-
G.O. Bond Premium	650	-	650	-	-	-	-	-	-	-	-
G.O. Bonds	33,255	10,405	3,150	19,700	2,850	2,950	2,450	5,950	2,750	2,750	-
PAYGO	2,782	2,782	-	-	-	-	-	-	-	-	-
Recordation Tax Premium (MCG)	2,209	2,209	-	-	-	-	-	-	-	-	-
State Aid	820	100	-	720	720	-	-	-	-	-	-
TOTAL FUNDING SOURCES	52,882	23,417	3,945	25,520	4,420	3,800	3,300	6,800	3,600	3,600	-

APPROPRIATION AND EXPENDITURE DATA (\$000s)

Appropriation FY 23 Approp. Request	4,420	Year First Appropriation	FY03
Appropriation FY 24 Approp. Request	3,800	Last FY's Cost Estimate	44,162
Cumulative Appropriation	27,362		
Expenditure / Encumbrances	23,664		
Unencumbered Balance	3,698		

PROJECT DESCRIPTION

This project provides for the review and analysis of existing physical structures and traffic controls in order to make modifications aimed at improving safety and infrastructure for pedestrians and bicycles. This project provides for the construction of physical structures and/or installation of traffic control devices which include, but are not limited to: new crosswalks; High-Intensity Activate crossWalk (HAWK) signals; pedestrian refuge islands; sidewalks; bus pull-off areas; fencing to channel pedestrians to safer crossing locations; bicycle signings and markings; relocating, adding, or eliminating bus stops; accessible pedestrian signals (countdown) or warning beacons; improving signage, etc. The improvements will be made in compliance with the requirements of the Americans with Disabilities Act.

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Exhibit 2

Project Vicinity Map



Proposed Sidewalk
Stateside Drive
JoAnn Leleck Elementary School - Safe Routes to School

- Legend**
- Existing Sidewalk
 - Proposed Sidewalk
 - Property Boundaries

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Exhibit 3

Public Right-of-Way Construction Impacts

Stateside Drive

Public Right-of-Way Construction Impacts

Side: North

Limits: Avenel to Stateside Ct

Sidewalk Width: 5-Ft

Sidewalk Material: Concrete

Road Width: 23'

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ADDRESS	CONSTRUCTION IMPACTS
All Addresses	Construct a 5' wide concrete sidewalk with a 2-3' green space. All driveway aprons will be replaced with concrete. All lead walks will be replaced with concrete. For all tree removals, new trees may be planted. Remove 1400 LF of curb and replace with barrier curb.
1510 Stateside	Construct a 5-ft wide concrete sidewalk with a 0 to 3-ft wide variable greenspace. Reconstruct 1 ADA ramp. Relocate 4 signs. Transition sidewalk behind two poles #805428-550660. Transition sidewalk behind pole #805428-510670. Adjust storm drain top. Reconstruct concrete apron.
1504 Stateside	Move 2 signs. Remove concrete apron. Place sidewalk behind pole #805428-320800. Relocate 2 PVC property drain pipes.
1500 Stateside	Remove concrete apron. Remove brick lead walk. Place sidewalk behind pole #805428-220860. Adjust gas meter, if needed.
1418 Stateside	Remove HMA apron. Remove 3 trees with 6", 8", and 26" diameters. Remove bushes. Place sidewalk behind pole #805428-130920.
1412 Stateside	Remove HMA apron. Remove bushes. Remove 3 trees with 12", 21", and 27" diameters. Place sidewalk behind pole #804429-030990. Adjust gas meter, if needed.
1408 Stateside	Remove HMA apron. Remove tree with 30" diameter. Place sidewalk behind pole #804429-940050. Adjust sewer cleanout.

Stateside Drive

Public Right-of-Way Construction Impacts

Side: North

Limits: Avenel to Stateside Ct

Sidewalk Width: 5-Ft

Sidewalk Material: Concrete

Road Width: 23'

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ADDRESS	CONSTRUCTION IMPACTS
1404 Stateside	Construct a retaining wall. Remove concrete apron. Place sidewalk behind fire hydrant. Remove 2 trees with 24" and 26" diameters. Place sidewalk behind pole #805429-840110. Remove metal fence.
1400 Stateside	Remove concrete apron. Remove metal fence. Place sidewalk behind pole #804429-740180. Construct block retaining wall along front of property, if needed.
1324 Stateside	Remove tree with 29" diameter. Remove concrete apron. Remove concrete lead walk. Place sidewalk behind pole #805429-650240. Remove PVC property drain pipe within the County's public right of way, if needed. Remove shrubs within the County's public right of way, if needed.
1320 Stateside	Remove concrete apron. Remove 2 trees with 7" and 20" diameters. Remove bushes. Place sidewalk behind pole #805429-570290.
1318 Stateside	Remove HMA apron.
1316 Stateside	Remove concrete apron. Place sidewalk behind pole #805429-430380. Move anchors. Meet existing sidewalk.



The above impacts are based on a preliminary investigation and are subject to change at anytime as field conditions warrant.

Stateside Drive

Public Right-of-Way Construction Impacts

Side: South

Limits: Stateside Ct to Avenel

Sidewalk Width: 5-Ft

Sidewalk Material: Concrete

Road Width: 23'

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ADDRESS	CONSTRUCTION IMPACTS
All Addresses	Construct a 5' wide concrete sidewalk with a 2-3' green space. All driveway aprons will be replaced with concrete. All lead walks will be replaced with concrete. For all tree removals, new trees may be planted. Remove 1350 LF of curb and replace with barrier curb.
1303 Stateside	Construct an ADA ramp. Place sidewalk behind fire hydrant. Move sign. Remove tree with 5" diameter. Remove concrete lead walk. Adjust gas valve.
1319 Stateside	Remove paver lead walk. Remove HMA apron.
1323 Stateside	Remove 2 trees with 6" and 15" diameters. Remove landscaping. Remove stumps. Remove concrete apron. Place sidewalk behind pole #804429-690170. Adjust 2 water meters, if needed.
1325 Stateside	Remove 2 trees with 19" and 21" diameters. Remove tree stump. Remove concrete apron. Adjust manhole.
1403 Stateside	Remove tree with 3" diameter. Remove bushes. Remove concrete apron.
1405 Stateside	Remove bushes. Remove 2 trees with 3" and 28" diameters. Remove concrete apron. Adjust water meter, if needed.

Stateside Drive

Public Right-of-Way Construction Impacts

Side: South

Limits: Stateside Ct to Avenel

Sidewalk Width: 5-Ft

Sidewalk Material: Concrete

Road Width: 23'

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ADDRESS	CONSTRUCTION IMPACTS
1409 Stateside	Remove HMA apron. Remove rocks. Remove 2 trees with 21" and 33" diameters. Adjust water meter, if needed.
1415 Stateside	Remove concrete apron. Adjust manhole.
1419 Stateside	Remove bushes. Remove 2 trees with 24" and 28" diameters. Remove concrete apron. Remove slate lead walk. Adjust water meter, if needed.
1501 Stateside	Remove tree with 34" diameter. Move 2 signs. Remove concrete apron. Place sidewalk behind fire hydrant. Adjust water meter.
1509 Stateside	Move sign. Remove concrete apron. Construct a retaining wall. Remove bushes.
9408 Avenel	Move 3 signs. Construct a retaining wall. Remove tree with 30" diameter. Update ADA ramp. Adjust storm drain top.



The above impacts are based on a preliminary investigation and are subject to change at anytime as field conditions warrant.

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Exhibit 4

Tree Impacts Report

TREE PROTECTION PLAN - SIDEWALK PROPOSAL**Project:** Joann Leleck Elementary School - Safe Routes to School**Project Manager:** Will Wu**11.4.2022**

DBH = diameter (in.) at breast height (4.5 ft above ground), ms = multi stem

Location: F = front, S = side, R = rear, I = island, P = private, O = opposite, M = median

Recommendation: F = Fencing required, s/w = sidewalk, elev = elevation pruning

DW = dead wood removal, d/w = driveway, cli = clear light, csi = clear sign, cpt = clear private tree, ch = clear house

Note: refer to **Tree Protection Requirements For The Department Of Transportation** for Standard Tree Protection Measures

Note: Inspection of worksite tree protection measures required

by Certified Arborist with the county prior to construction activities

Note: ROW not to be utilized for staging area unless otherwise permitted

by Certified Arborist

ADDRESS	SPECIES	DBH	LOCATION	RECOMMENDATIONS
				<i>Note: Recommendations assume 5' sidewalk and approx. 3' open space for all addresses listed.</i>
				<i>Note: All trees listed below require tree protection fencing unless noted otherwise</i>
Stateside Dr				
1510	Southern Red Oak	24.5	1F-P	REMOVE; poor condition
1418	Pin Oak	27.5	3F	REMOVE: tree previously marked for removal
	Musclewood	8	2F	REMOVE: Proposed construction would compromise health/structural stability of tree
	Callery Pear	11.5	1F	REMOVE: Proposed construction would compromise health/structural stability of tree
1412	Pin Oak	30	3F	REMOVE: Proposed construction would compromise health/structural stability of tree
	Pine	14	2F	REMOVE: Proposed construction would compromise health/structural stability of tree
	Pin Oak	27	1F	REMOVE: tree previously marked for removal
1408	Pin Oak	32	1F	REMOVE: Proposed construction would compromise health/structural stability of tree
1404	stump	43	2F	remove stump
	bole	31	1F	remove bole
1324	Pin Oak	34	1F	REMOVE: Proposed construction would compromise health/structural stability of tree
1320	stump	27	2F	remove stump
	stump	13	1F	remove stump
1303	Hedge Maple	6	1F	REMOVE: Proposed construction would compromise health/structural stability of tree
1323	Weeping Willow	10.5	1F	REMOVE: Proposed construction would compromise health/structural stability of tree
	Magnolia	4	2F	REMOVE: Proposed construction would compromise health/structural stability of tree
	Magnolia	9ms	3F	REMOVE: Proposed construction would compromise health/structural stability of tree
1325	stump	62	1F	remove stump
	Kwanzan Cherry	9	2F	REMOVE: tree previously marked for removal
1325	Sugar Maple	12	3F	REMOVE: Proposed construction would compromise health/structural stability of tree
1403	Swamp White Oak	3	1F	REMOVE: Proposed construction would compromise health/structural stability of tree
	Dogwood	7ms	2F	REMOVE; poor condition
	Weeping Cherry	5	1F-P	REMOVE: Proposed construction would compromise health/structural stability of tree
	Cherry	11.5	2F-P	REMOVE; poor condition
	Cherry	18ms	3F	REMOVE: Proposed construction would compromise health/structural stability of tree
1405	stump	51	1F	remove stump
1409	Pin Oak	23	1F	REMOVE: Proposed construction would compromise health/structural stability of tree
	Black Gum	33.5	1F-P	Air Excavation Required
	Red Oak	16.5	2F	REMOVE: Proposed construction would compromise health/structural stability of tree
1419	Pin Oak	24	1F	REMOVE: Proposed construction would compromise health/structural stability of tree
	Silver Maple	21	2F	REMOVE: tree previously marked for removal
1501	Southern Red Oak	39	1F	REMOVE: Proposed construction would compromise health/structural stability of tree
9408 Avenel Rd	Black Cherry	5	1F-P	REMOVE: Proposed construction would compromise health/structural stability of tree
	Dogwood	5.5	1F	REMOVE: Proposed construction would compromise health/structural stability of tree
	Bur Oak	2.5	2F	REMOVE: Proposed construction would compromise health/structural stability of tree
	Pin Oak	33	3F	REMOVE: Proposed construction would compromise health/structural stability of tree

Notes:

1. Mechanical root pruning is not allowed. Hand prune roots where "root prune up to edge of proposed sidewalk" is noted above.

*All root pruning shall be done to a maximum depth of 6"

2. Any roots 2" diameter or larger exposed by air excavation, that require removal due to construction activities, must be inspected by ISA certified arborist within the Tree Maintenance Section prior to removal.

3. An approved contractor (Licensed Tree Expert) certified in the State of Maryland for air excavation will be required to conduct all excavation where "Air Excavation Required" is noted above.

4. Arborist (Tree Maintenance Section, Division of Highway Services) shall be notified by Project Manager of root pruning and Air Excavation schedule prior to scheduled work.

5. Excavation for proposed sidewalk shall be no more than 6"

Per Montgomery County Roadside Tree Protection Law, allocation of funds into the **Street Tree Replacement Fund** is required.

Three (3) trees required per removal of each county right of way tree that is 6" + DBH, fair or better condition. (\$250.00 per tree)

\$12,000.00 is required for the Street Tree Replacement Fund (16 tree removals)

Note: Tree replacement fee to be paid prior to scheduled construction

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Exhibit 5

MCDOT Press Release, Washington Times Legal
Advertisement Proof

Marc Elrich
County Executive



Christopher Conklin
Director

DEPARTMENT OF TRANSPORTATION

Notice of Public Hearing for Proposed Sidewalk Construction

**Joann Leleck Elementary School
Oakview Community Sidewalk Proposal
Wednesday, March 8, 2023, at 7:00pm**

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Pursuant to Section 49-53 of the Montgomery County Code, a public hearing is required as part of the final decision-making process. A public hearing allows residents the opportunity to present oral and/or written testimony to a hearing officer, the sole purpose being to obtain detailed information to assist in determining whether to recommend all of part of the proposed installation.

Please register to attend using the hyperlink below or QR code:

[MS Office Form - Register for Public Hearing](#)



For your ease and reference, instructions on connecting to the Zoom platform are enclosed.

If you would like or need an *interpreter*, please contact Nima Upadhyay no later than March 3, 2023, at SidewalkSRTS-LeleckES@montgomerycountymd.gov.

Persons unable to attend the scheduled hearing are encouraged to submit written testimony to the Safe Routes to Schools Program via email at:

SidewalkSRTS-LeleckES@montgomerycountymd.gov. **Written testimony carries the same weight as verbal testimony, and you are welcome to submit either or both.**

Following the virtual public hearing, the Hearing Record will be held open for four weeks during which you may submit your written testimony if you have not done so already. The Record for the project will close on Wednesday, April 5, 2023, at 5:00 p.m.

Please visit the Safe Routes to Schools Program website at:

<https://www.montgomerycountymd.gov/DOT-PedSafety/SRTS/SidewalkProposals/JoannLeleckES.html> if you would like to view the proposal files. Likewise, you are welcome to contact Nima Upadhyay at her above email address to obtain information regarding the project and public hearing process.

Thank you!

Division of Traffic Engineering and Operations

100 Edison Park Drive, 4th Floor · Gaithersburg, Maryland 20878 · 240-777-2190 · 240-777-2080 FAX
www.montgomerycountymd.gov

**PUBLIC HEARING FOR
PROPOSED SIDEWALK CONSTRUCTION**

**Joann Leleck Elementary School /
Oakview Community, Silver Spring, Maryland**

Sidewalk proposed on the north side of
Stateside Drive from Avenel Road
to Stateside Court

Sidewalk proposed on the south side of
Stateside Drive from Avenel Road
to Stateside Court

Pursuant to Section 49-53 of the Montgomery County Code (2004) as amended, a virtual public hearing shall be held on **WEDNESDAY, MARCH 8, 2023, at 7:00 p.m.** The hearing will be broadcast over the internet via Zoom.

**To register for the hearing, please visit the
project webpage at:**

**[https://www.montgomerycountymd.gov/
DOT-PedSafety/SRTS/SidewalkProposals/
JoannLeleckES.html](https://www.montgomerycountymd.gov/DOT-PedSafety/SRTS/SidewalkProposals/JoannLeleckES.html)**

To register, paste the above link into your browser and click on the "Schedule" tab of the website, where you will find a link to register to attend the hearing. Please note, registration closes on March 7, 2023, at 3:00pm. On the morning of the hearing on March 8, 2023, MCDOT will email the Zoom link and passcode to all registrants.

If you would like a copy of the Public Hearing Record Binder and displays, please contact the SRTS Program Manager, Nima Upadhyay via email at **SidewalkSRTS-LeleckES@montgomerycountymd.gov**.

Audio and video of the hearing will be recorded, a link to which will be posted on the project webpage linked above.

The sole purpose of a public hearing is to allow residents an opportunity to present oral and/or written comments concerning construction of a sidewalk that provides pedestrians, including those with disabilities, and bicyclists safer travel to schools and nearby public attractions or facilities. The following hearing will begin at **7:00 p.m.** and run continuously until all information is presented and the hearing has concluded.

WRITTEN TESTIMONY CARRIES THE SAME WEIGHT AS ORAL TESTIMONY. Written testimony for consideration may be submitted to: **SidewalkSRTS-LeleckES@montgomerycountymd.gov**. Please visit the Safe Routes to School project webpage, link above, to obtain digital copies of the sidewalk proposal files.

Interpreter services will be provided upon request. Please allow (5) business days advance notice when requesting interpreter services.

February 22, 2023

March 1, 2023

Ad#69962

Exhibit 6

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Resident Comments and Petitions
Supporting the Proposal

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Exhibit 7

Resident Comments and Petitions
Opposing the Proposal

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Exhibit 8

Written Testimony

Tree in front of 1501 Stateside Dr. Silver Spring, Md 20903

elizabeth bruton <lizbbb2000@yahoo.com>

Mon 2/20/2023 4:20 PM

To: SRTS Leleck Sidewalk <sidewalkSRTS-LeleckES@montgomerycountymd.gov>

[EXTERNAL EMAIL]

It looks like the tree on the southern side of Stateside Dr., in front of 1501, is scheduled to be removed. It is a beautiful Southern Red Oak, with a diameter of 39, one of the largest on Stateside. We will be heartbroken if it is removed. We have been here for over 60 years, and it has been a source of shade and beauty for that long. There is nothing wrong with it.

Is there any way to have a sidewalk just on the Northern side?

I hear that there can be a replacement, but it may be planted elsewhere.

It really is one of the most beautiful trees in Oakview.

Is there anything else that can be done?

Thank you,

Elizabeth Bruton

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Stateside Drive sidewalk project

tom mayers <mayerstom@hotmail.com>

Tue 3/7/2023 6:51 AM

To: SRTS Leleck Sidewalk <sidewalkSRTS-LeleckES@montgomerycountymd.gov>

[EXTERNAL EMAIL]

Good morning,

I am writing today in opposition of the proposed sidewalk project on Stateside Drive in Oak View. The installation of sidewalks on Oakview Drive would destroy the identity of the neighborhood and do very little in improving the quality of life for the residents. There is virtually no foot traffic on our street for anyone going to or from school. Many very large old growth trees will have to be cut down along with ornamental bushes and shrubs and this would be disastrous. The entire neighborhood is in opposition to the sidewalks and will cause much more harm than any good that may result. The 8 ft that is going to be taken from our property fronts for the installation of the sidewalks is going to impact my driveway in as much that I am going to have to park on the street. I will also lose two very large Quince bushes that are at least 40 years old. Again in the mornings and in the afternoon we see no school children walking up and down Stateside Drive. In closing I'm asking you to reconsider negatively impacting not only myself but all of my neighbors for something that has little or no value.

Thank you very much.

Tom Mayers.

1405 Stateside Drive

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Exhibit 9

List of Attendees

March 8, 2023 – Public Hearing

Joann Leleck Elementary School – SRTS Sidewalk Proposal

List of Registrants

1. Hayley Ho, Resident
2. Kathy Mayers, Resident
3. Caroline Rozario, Resident
4. Joe Harrison

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Exhibit 10

Public Hearing Transcript